

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Richard R. Rabbat et al.  
Serial No: 10/759,698  
Date Filed: January 15, 2004  
Group Art Unit: 2619  
Examiner: Andrew W. Chriss  
Confirmation No. 8438  
Title: TIME CONSTRAINED FAILURE RECOVERY IN  
COMMUNICATION NETWORKS

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**RESPONSE TO INTERVIEW SUMMARY**

In response to the Examiner's Interview Summary dated March 4, 2008, Applicants respectfully submit this Response to Interview Summary pursuant to M.P.E.P. § 713.04.

Applicants thank the Examiner for conducting the telephone interview on March 4, 2008 and for thoughtfully considering this case. During the telephone interview, Applicants and Examiner discussed the rejection of Claims 12-22 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, Applicants and Examiner discussed whether the specification as originally filed explicitly contemplated computer readable media. It is Applicants' understanding that no agreement was reached regarding this matter.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P. If the Examiner feels that a telephone conference or an interview would advance

prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicants

A handwritten signature in black ink, appearing to read 'Kurt M. Pankratz', with a stylized flourish at the end.

Kurt M. Pankratz  
Reg. No. 46,977  
(214) 953-6584

Date: April 2, 2008

Customer ID No. 05073